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10 CLAIRE'S BOUTIQUES, INC.
AND CLAIRE'S HOLDINGS, LLC

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

14 KILA SMITH,
15 Plaintiff,
16 v.
17 CLAIRE'S BOUTIQUES, INC., a Michigan
18 Corporation; CLAIRE'S HOLDINGS, LLC, a
19 Limited Liability Company; RYAN VERO, an
individual; and DOES 1 through 100,
inclusive,
20 Defendants.

Case No.

**DECLARATION OF ADAM Y. SIEGEL
IN SUPPORT OF DEFENDANT'S
NOTICE OF REMOVAL**

(Filed concurrently with Notice of Removal; Declarations of Michele Reilly and Danielle Clark; Civil Case Cover Sheet; Notice of Interested Parties; and Corporate Disclosure Statement)

Complaint Filed: 08/05/2022
Trial Date: TBD

I, Adam Y. Siegel, declare as follows:

1. I am an attorney admitted to practice before all courts of the State of California and before this Court. I am a Principal with the law firm Jackson Lewis P.C., counsel of record for Defendant Claire's Boutiques, Inc. and Defendant Claire's Holdings, LLC (hereinafter, "Defendants"). I make the following declaration based on personal knowledge, and on my review

1 of and familiarity with Defendant's files and documents in the above-captioned matter. If called as
2 a witness, I could and would competently testify to the facts contained herein.

3 2. I submit this declaration in support of Defendant's Notice of Removal.

4 3. On August 5, 2022, Plaintiff KILA SMITH ("Plaintiff") filed her Complaint against
5 Defendant in the Superior Court of the State of California, Contra Costa County entitled *KILA*
6 *SMITH vs. Claire's Boutiques, Inc., Claire's Holdings, LLC, and Ryan Vero, and DOES 1 through*
7 *100, inclusive, Defendant*, Case No. Case No. 34-2022-00324771, which sets forth the following 8
8 causes of action: (1) discrimination based on disability and/or medical condition under the
9 California Fair Employment and Housing Act ("FEHA"), Cal. Gov't Code §§ 12900, *et seq.*; (2)
10 retaliation under FEHA; (3) failure to prevent discrimination under FEHA; (4) failure to provide
11 a reasonable accommodation under FEHA; (5) failure to engage in the interactive process under
12 FEHA; (6) wrongful termination in violation of public policy; (7) failure to indemnify for
13 business expenses, Cal. Lab. Code § 2802; and (8) Unfair Competition, Cal. Bus. & Prof. Code
14 §§ 17200, *et seq.* True and correct copies of the Complaint, Certificate of Counsel, and Notice of
15 Case Management Conference are attached to Defendant's Notice of Removal as **Exhibit "A"**.
16 Defendants Claire's Boutiques, Inc. and Claire's Holdings, LLC are named as defendants to all
17 causes of action, while Defendant Vero is named as a defendant to only the seventh cause of
18 action. *Id.* Plaintiff also filed a Civil Case Coversheet. On August 9, 2022, the court issued its
19 Notice of Case Management Conference. *Id.* Plaintiff served Defendant with the Complaint on
20 September 15, 2022, which included the Notice of Case Management Conference from the court.
21 *Id.*

22 4. On October 12, 2022, Defendant filed its Answer to Plaintiff's Complaint in
23 Contra Costa County Superior Court. Defendant is waiting to receive a conformed copy of the
24 Answer from the Court but has not received it due to delays caused by Covid-19. A true and
25 correct copy of Defendant's Answer is attached to Defendant's Notice of Removal as **Exhibit**
26 **"B."**

5. As to the best of my knowledge and based on information and belief, **Exhibits** “A” and “B” to the Notice of Removal constitute all of the pleadings received or filed by Defendant in this matter.

6. As of the date of the Notice of Removal, Plaintiff has not yet effected service of the summons and Complaint on Defendant Claire's Holdings, LCC and Defendant Ryan Vero.

7. My colleague, Mossamat Nusrat Karim and I have engaged in settlement negotiations with Plaintiff's counsel. On March 10, 2022, Plaintiff made a settlement demand of \$125,000. On April 4, 2022, Plaintiff made a reduced settlement demand of \$80,000. On October 7, 2022, Plaintiff made a further reduced settlement demand of \$75,000. Attached as **Exhibit C** is copy of emails by Plaintiff's counsel regarding Plaintiff's settlement demands.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed this day of October 13, 2022, at Los Angeles, California.

Adam S.

Adam Siegel

4883-6632-2232, v. 1